

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
E/S York Road, 325' S of		
Green Meadows Drive	*	ZONING COMMISSIONER
8 th Election District		
3 rd Councilmanic District	*	OF BALTIMORE COUNTY
(2135-D York Road)		
	*	
Timonium Shopping Center		
Petitioner	*	CASE NO. 99-519-XA
Joseph J. Impallaria, Jr.	*	
Contract Purchaser		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 2135-D York Road in Timonium. The property is more particularly known as the Timonium Shopping Center, located across from the Maryland State Fairgrounds. The Petition for Special Exception was filed by Timonium Shopping Center Associates, LLC, the property owner and Joseph J. Impallaria, Jr., Lessee. Special Exception relief is requested for a family-oriented restaurant with an arcade (game room). The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Special Exception (Petitioner's Exhibit No. 2) and the floor plan for the subject premises (Petitioner's Exhibit No. 3).

Appearing at the public hearing held for this case were: Joseph J. Impallaria, Jr., Petitioner; Joseph R. Bruno, Tony Paszkiewicz and Dennis Yancheski, all in support of the Petition. Also present was Richard L. Smith, the engineer who prepared the site plan. The Petitioner was represented by Stuart D. Kaplow, Esquire. There were no protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date

8/12/99

J. R. Johnson

It is to be initially noted that originally the Petitioner requested not only special exception relief, but also filed a Petition for Variance from certain parking requirements in the Baltimore County Zoning Regulations (B.C.Z.R.). However, it was determined that variance relief was not necessary due to a prior Order in Case No. 85-233-A. In that case, variance relief was granted from certain parking requirements for the subject property. In that the variance relief remains valid and in effect, the Petition for Variance was withdrawn. Thus, the matter came before this Zoning Commissioner only for consideration of the Petition for Special Exception.

The subject property is a large tract, approximately 17.2 acres in area, zoned BM. The property has frontage on York Road (Maryland Route 45), immediately across the street from the Maryland State Fairgrounds. The property is built out as a large strip shopping center. The center contains an Ames Store, movie theaters and numerous other retail/commercial uses. In addition to the store buildings, the site also contains a large parking field with 991 spaces.

The subject Petition for Special Exception is the result of a proposed new tenant to the center known as Pisa Pizza, LLC. As shown on the site plan, Pisa Pizza will occupy Unit No. 27 in the center, immediately adjacent to the Timonium Animal Hospital space, and near the Jay Perkins Golf Shop and Loews Theater. As the name suggests, the new tenant will be a pizza style restaurant. An outline of the proposed operation is contained within a two-page summary which was submitted at the hearing as Petitioner's Exhibit No. 4. That summary indicates that Pisa Pizza offers over 25 varieties of pizza which will be marketed in a buffet style. The restaurant will not serve liquor and is geared towards a family clientele.

The Petitioners also submitted at the hearing a floor plan for the space to be leased. In addition to setting out the dining and food service areas, that plan shows that the facility will contain a game room. The game room will contain up to 20 video arcade type machines to

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Date

8/12/99

By

R. J. Garrison

provide entertainment to customers and patrons. It was indicated at the hearing that this amenity was a necessary part of the business due to the family-orientation of the restaurant. It is anticipated that families and children will be frequent customers of the restaurant. There will be a variety of games to be provided, including pinball flipper games, kiddie rides and simulators.

Although the primary focus of the business will be as a restaurant, Section 101 of the B.C.Z.R. defines a arcade as a "a building or part of building in which 5 or more pinball machines, video games or similar player operated amusement devices are maintained." Arcades are permitted only by special exception pursuant to Section 423 of the B.C.Z.R.

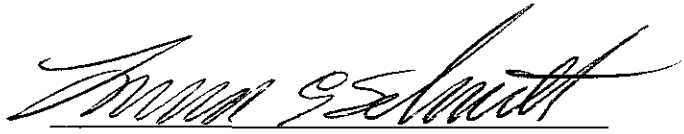
Proffered testimony from the witnesses, including Mr. Smith, was that the proposed use would not be detrimental to the health, safety or general welfare of the locale. Specifically, the use will be appropriate with other uses within the shopping center and incidental to the restaurant focus of the business.

Based upon this uncontradicted testimony, I am persuaded to grant the Petition for Special Exception. The proposed business appears in keeping with other commercial operations in the shopping center and there will not be any detrimental impact on those adjacent businesses or nearby properties. It is also to be noted that there is no community opposition to the request. In this regard, a letter was received from the Greater Timonium Community Council, Inc. indicating general support for the request. Approval will be granted to allow up to 20 machines/amusement devices.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition for Special Exception held, and for the reasons given above, we will grant the Petition for Special Exception. The Petition for Variance is dismissed without prejudice.

THEREFORE, IT IS ORDERED this 12th day of August, 1999, by this Zoning Commissioner, that the Petitioners' request for Petition for Special Exception relief for a family-oriented restaurant with an arcade (game room) containing up to 20 machines/amusement devices, be and is hereby APPROVED.

IT IS FURTHER ORDERED that any party has the right to file an appeal within thirty (30) days of the date of this Order.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING
Date 8/12/99
By J.R. Garrison



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 12, 1999

Stuart D. Kaplow, Esquire
15 E. Chesapeake Avenue
Towson, Maryland 21286

RE: Petition for Special Exception
Case No. 99-519-XA
Property: 2135-D York Road

Dear Mr. Kaplow:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Copies to:

Mr. Joseph J. Impallaria, Jr.
10506 Pot Spring Road
Cockeysville, Maryland 21030

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Timonium Shopping Center Associates, LLC
c/o Vicky M. Burns
170 W. Ridgely Road
Timonium, Maryland 21093

Mr. Richard L. Smith
KCI Technologies, Inc.
10 North Park Drive
Cockeysville, Maryland 21030



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2135 D York Rd Timonium, MD 21094

which is presently zoned B. M.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A family orientated restaurant with an arcade (game room). The purpose of the game room is to entertain children and adults while other members of their dining party continue to eat at our Pizza Buffet. This is not a typical arcade, but a game room. No one will have access to our game room unless they have first paid the full value to eat at our Pizza Buffet. We will not permit individuals to enter the premises unless they are there to dine. The game room is an ancillary activity in our restaurant to encourage our family concept. Pisa Pizza Buffet will be approximately 7000 square feet and we will have a game room of approximately 540 square feet with a maximum capacity of 20 games. We request a variance to put up to 20 games in our game room. Our game room will only be available to our paying buffet customers and will not be available to the general public on a walk-in basis.

Pet No 1

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Joseph J. Ingallara, Jr.
Name - Type or Print
[Signature]
Signature
10506 Rt Spring Rd (410) 666-7239
Address Telephone No.
Cockeysville MD 21030
City State Zip Code

Attorney For Petitioner:

Joseph J. Ingallara, Jr.
Name - Type or Print
[Signature]
Signature
Pisa Pizza, LLC
Company
P.O. Box 5675 (410) 663-7472
Address Telephone No.
Timonium MD 21094-5675
City State Zip Code

Legal Owner(s):

Timonium Shopping Center
Associates, LLC
Name - Type or Print
[Signature]
Signature
VICKY M. BURNS
Name - Type or Print
[Signature]
Signature
170 W. Ridgely Road
Address
Timonium, MD 21093
City State Zip Code Telephone No.

Representative to be Contacted:

Same as above
Name
Commission expires 11/1/2001
Address Telephone No.
(410) 684-2000
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2⁰⁰ hrs
UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 6-22-99

Case No. 99-519-KA

REC 09/15/98



DESCRIPTION
0.69 ACRE PARCEL
PORTION OF TIMONIUM SHOPPING CENTER
ELECTION DISTRICT NO. 8
BALTIMORE COUNTY, MARYLAND
THIS DESCRIPTION IS FOR A SPECIAL EXCEPTION

BEGINNING FOR THE SAME at a point on the south property line of the Timonium Shopping Center, said point of beginning being North 86 degrees 55 minutes 23 seconds East 350.00 feet more or less from the east right of way line of York Road, said point on the east side of York Road being 185 feet more or less north from the center line of Gerard Avenue, thence in a northerly direction partially along the center line of the party wall between 2135 A and 2135 B York Road and partially across the parking area (1) North 06 degrees 55 minutes 23 seconds East 160.00 feet more or less; thence (2) North 06 degrees 20 minutes 06 seconds West 47.70 feet more or less; thence (3) North 84 degrees 55 minutes 23 seconds East 134.17 feet more or less; thence (4) South 05 degrees 04 minutes 37 seconds East 210.00 feet more or less to intersect the aforementioned south property of the Timonium Shopping Center; thence binding on said line (5) South 86 degrees 55 minutes 23 seconds West 166.49 feet more or less to the point of beginning.

CONTAINING 30,294 square feet, more or less or 0.69 acres, more or less.



519

99-519-X



**DESCRIPTION FOR PARKING VARIANCE
PROPERTY OF TIMONIUM SHOPPING CENTER
ELECTION DISTRICT 8
BALTIMORE COUNTY, MARYLAND**

Beginning for the same at a point on the easterly right of way line of York Road, variable width, 325.00' more or less south of the south side of Green Meadow Drive, thence

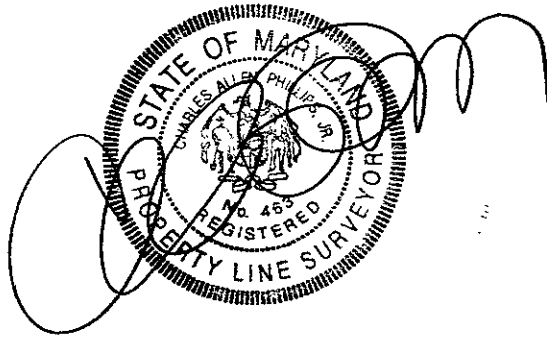
1. By a curve , to the left with a radius of 25.00 feet, and an arc length of 13.67 feet, said curve having a chord bearing North 86 degrees 52 minutes 38 seconds East 13.50 feet; thence
2. By a curve, to the right, with a radius of 160.00 feet and an arc length of 54.85 feet, said curve having a chord bearing North 81 degrees 01 minutes 50 seconds East 54.58 feet; thence
3. North 28 degrees 32 minutes 51 seconds East 125.19 feet; thence
4. South 84 degrees 07 minutes 27 seconds East 50.01 feet; thence
5. North 04 degrees 38 minutes 18 seconds East 40.45 feet; thence
6. South 85 degrees 21 minutes 42 seconds East 252.87 feet; thence
7. By a curve to the right, with a radius of 1670.00 feet and an arc length of 106.92 feet, said curve having a chord bearing South 83 degrees 31 minutes 39 seconds East 106.90 feet; thence
8. South 85 degrees 21 minutes 42 seconds East 50.06 feet; thence
9. North 07 degrees 16 minutes 39 seconds East 10.83 feet; thence
10. South 85 degrees 21 minutes 42 seconds East 338.03 feet; thence
11. By a curve, to the right, with a radius of 30.00 feet and an arc length of 26.33 feet, said curve having a chord bearing South 60 degrees 13 minutes 15 seconds East 25.49 feet; thence
12. South 85 degrees 21 minutes 42 seconds East 12.20 feet; thence
13. South 18 degrees 47 minutes 27 seconds East 477.84 feet; thence
14. South 53 degrees 43 minutes 10 seconds East 200.74 feet to intersect the northwesterly right of way line of Timonium Road, 80 feet wide; thence binding on said right of way line
15. South 36 degrees 16 minutes 59 seconds West 76.52 feet; thence leaving said line
16. North 53 degrees 43 minutes 01 seconds West 150.00 feet; thence
17. South 36 degrees 16 minutes 59 seconds West 262.37 feet; thence leaving said line and running through a "Road in Common" 16.50 feet wide as shown on a plat entitled "Yorkshire" and recorded among the Plat Records of Baltimore County, Maryland in Plat Book W.P.C. 7 Part 1-21
18. South 36 degrees 16 minutes 59 seconds West 10.67 feet to a point in the centerline of said road; thence binding on the centerline of said road
19. South 86 degrees 55 minutes 23 seconds West 719.33 feet to intersect the aforesaid right of way line of York Road ; thence binding on said right of way line

519
99-519-X



20. North 21 degrees 12 minutes 48 seconds West 19.36 feet; thence
21. North 18 degrees 47 minutes 27 seconds West 12.05 feet; thence leaving said right of way line
22. North 86 degrees 55 minutes 23 seconds East 110.98 feet; thence
23. North 06 degrees 56 minutes 53 seconds East 179.75 feet; thence
24. North 84 degrees 56 minutes 11 seconds West 49.50 feet; thence
25. North 04 degrees 21 minutes 43 seconds West 17.51 feet; thence
26. South 71 degrees 12 minutes 33 seconds West 143.98 feet to a point on said right of way line; thence binding on said right of way line
27. North 18 degrees 47 minutes 27 seconds West 199.83 feet; thence
28. By a curve to the right, with a radius of 220.76 feet and an arc length of 44.52 feet, said curve having a chord bearing North 13 degrees 06 minutes 51 seconds West 44.44 feet; thence
29. By a curve to the left with a radius of 378.34 feet and an arc length of 75.51 feet, said curve having a chord bearing North 13 degrees 03 minutes 18 seconds West 75.38 feet; thence
30. North 18 degrees 46 minutes 21 seconds West 232.28 feet to the point of beginning

CONTAINING 749,535 square feet or 17.207 acres of land more or less.



519

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069898

DATE 6-22-99 ACCOUNT RM-01-6150

AMOUNT \$ 550.00

RECEIVED FROM: Pisa Pizza L.L.C.

FOR: Payment of Special Exceptions & Variance
Filing fee 2135-D York Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

99-519-X
99-519-XA

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME

6/22/1999 6/22/1999 10:10:29

REG. NO. 528 ZONING VERIFICATION

DEPT. 5 528 ZONING VERIFICATION

RECEIPT # 108110

CR. NO. 003090

Receipt Tot 550.00

550.00 OK

Baltimore County, Maryland

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-519-X
2135-D York Road
E/S York Road, 325 S of
Green Meadows Drive
8th Election District
3rd Councilmanic District
Legal Owner(s):

Timonium Shopping Center
Associates, LLC

Contract Purchaser:

Joseph J. Impallara, Jr.
Special Exception for an ar-
cade.

Hearing: Monday, August 9,
1999 at 2:30 p.m. in Room
407, County Courts Bldg.,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

7/31/99 July 22 C326921

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/22/ 1999

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 7/22/ 1999

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RF Case No 99-519-X

Petitioner/Developer J.J. IMPALLARIA, JR.

ETAL % PISA-PIZZA

Date of Hearing/Closing 8/9/99

Baltimore County Department of
Permits and Development Management
County Office Building Room 111
111 West Chesapeake Avenue
Towson MD 21204

Attention: Ms. Covendish Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #2135-D YORK RD.
C TIMONIUM SHOPPING CENTER

The sign(s) were posted on _____

7/21/99
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, Sr. 7/28/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

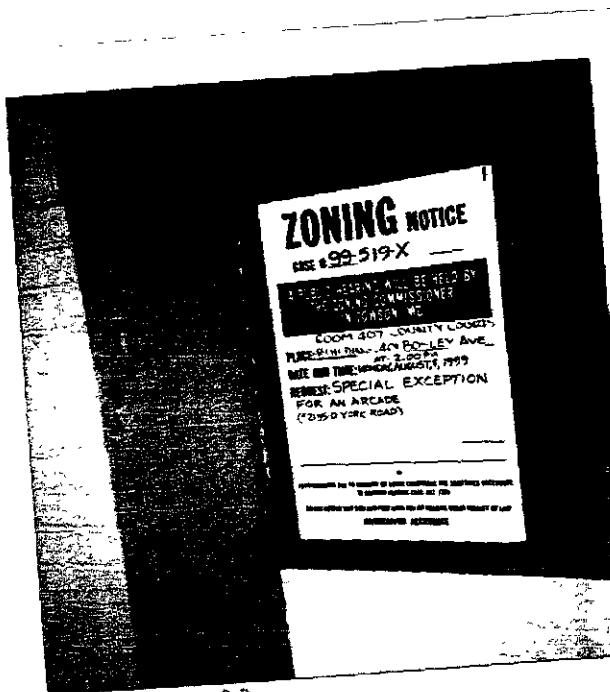
(Address)

HUNT VALLEY, MD. 21030

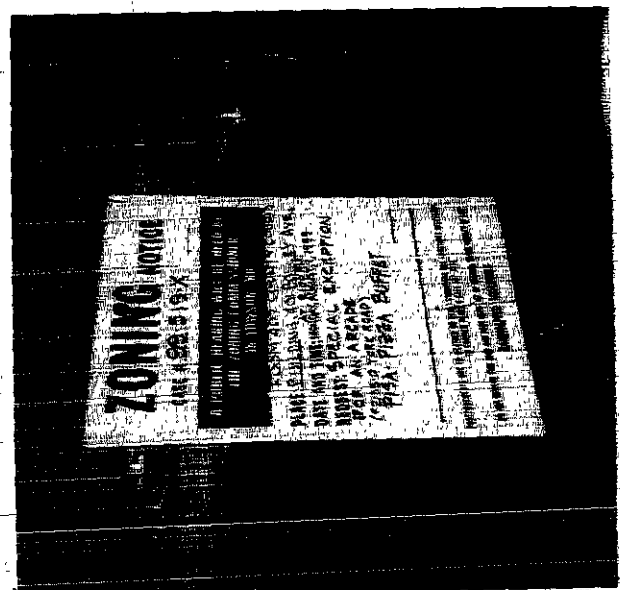
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



99-519-X
2135 YORK RD.



99-519-X
#2135 YORK RD.
8/8/99

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-519-XA
Petitioner: Pisa Pizza, L.L.C.
Address or Location: P.O. BOX 5675 Timonium, MD 21094-5675

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joseph J. Imparlora, Jr.
Address: 10506 Pot Spring Rd
Cockeysville, MD 21030
Telephone Number: (410) 683-7472

Revised 2/20/98 - SCJ

99-519-X

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 22, 1999 Issue – Jeffersonian

Please forward billing to:

Joseph J. Impallaria, Jr.
10506 Pot Spring Road
Cockeysville, MD 21030

410-683-7472

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-519-X

2135-D York Road

E/S York Road, 325' S of Green Meadows Drive

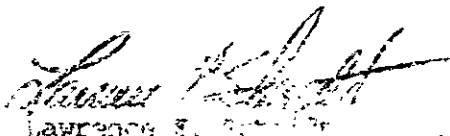
8th Election District – 3rd Councilmanic District

Legal Owner: Timonium Shopping Center Associates, LLC

Contract Purchaser: Joseph J. Impallaria, Jr.

Special Exception for an arcade.

HEARING: Monday, August 9, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

SCJ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 14, 1999

NOTICE OF ZONING HEARING

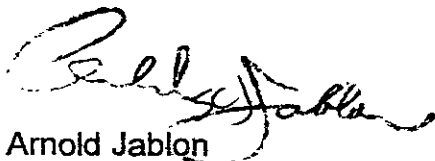
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-519-X
2135-D York Road
E/S York Road, 325' S of Green Meadows Drive
8th Election District – 3rd Councilmanic District
Legal Owner: Timonium Shopping Center Associates, LLC
Contract Purchaser: Joseph J. Impallaria, Jr.

*date ok with
Mr Kaplow +
Mr Impallaria*

Special Exception for an arcade.

HEARING: Monday, August 9, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

c: Joseph J. Impallaria, Jr., Esquire
Stuart D. Kaplow, Esquire
Timonium Shopping Center Associates, LLC

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 25, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 6, 1999

Stuart D. Kaplow, Esq.
15 East Chesapeake Avenue
Towson, MD 21286-5306

Dear Mr. Kaplow:

RE: Case No.: 99-519-A, Petitioner: Joseph Impallaria/Pisa Pizza,
Location: 2135 York Road/Timonium Shopping Center

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 22, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: July 13, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for July 12, 1999
Item Nos. 501, 502, 503, 504, 505,
507, 508, 509, 510, 511, 512, 513,
514, 516, 518, 519, 520, 521, 522,
523, 524,

and

Case Number 99-477-SPHA
Windsor Commons

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 11, 1999

Arnold Jablon, Director
Building Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 9, 1999

Item No.: SEE BELOW Conting Agenda:

Re: Re: Re:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and are to be corrected or incorporated into the final plan for the property.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

501, 502, 504, 505, 507, 508, 510, 512, 513, 514,
515, 516, 517, 518, 520, 521, 524,

REVIEWER: LT. ROBERT L. SAUERWALD
Fire Marshal Office, PHONE 807-4081, MC-11027
END FILE

Come visit the County's Website at www.co.ba.md.us



hio
8/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 28, 1999

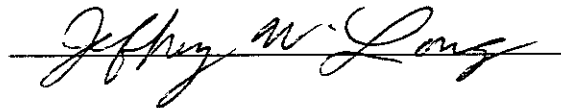
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 506 and 519

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
2135-D York Road, E/S York Road,
325' S of Green Meadow Drive
8th Election District, 3rd Councilmanic

* BEFORE THE
* ZONING COMMISSIONER
* FOR

Legal Owner: Timonium Shopping Center Assoc. LLC
Contract Purchaser: Joseph J. Impallaria, Jr.

* BALTIMORE COUNTY

Petitioner(s)


* Case No. 99-519-XA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 1999 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Timonium Shopping Center Assoc., LLC, 170 W. Ridgely Road, Timonium, MD 21093, Attn: Vicky M. Burns, and to Contract Purchaser Joseph J. Impallaria, Jr., Esq., P.O. Box 5675, Timonium, MD 21094, Petitioners.


PETER MAX ZIMMERMAN

7/15/99

Memo To the File

Case # 99-519-X(A)

On Wed afternoon, 7/14, Sophia gave this file to me stating that Stuart Kaplan has replaced the original atty, Mr. Impallaria and stated that he believes the site currently has sufficient parking ergo a Variance is not req'd. I immediately called Stuart & left a msg. to call me. Today at approximately 3:05 PM I again phoned Stuart. He apologized and stated that he has been gathering info for this and will be in early next week to meet with Carl & I. He believes a revised site plan will show sufficient parking & therefore a Variance will not be req'd.

JF Sullivan Jr.

Greater Timonium Community Council, Inc.
Louis W. Miller, Zoning & Development Coordinator
E/Mail: Leabo@AOL.Com Phone: 410-252-3444
July 31, 1999

AUG - 3

Zoning Commissioner, Baltimore County
Suite 405 County Courts Building
401 Bosley Avenue, Towson, Md. 21204

Re: Case No. 99-519-XA-Timonium Shopping Ctr.

Dear Commissioner:

In my capacity as Zoning & Development Coordinator for The Greater Timonium Community Council, Inc. and Yorkshire/Haverford Community Association, I have reviewed the Petition for Special Exception to allow a family orientated restaurant with an arcade (game room) under the conditions and restrictions enumerated in the Petition. I have also been assured by the Lessee that the selection of games and arcade equipment will not include those that use guns, or portray violence or gambling.

My main concern, discussed with the Lessee, is the movement of traffic to the drive-up bay and signage therewith. Such information should direct customers to and from the area via the York Road or Greenmeadow Drive entrances and exits. No signs or directions should identify the rear entrance from Timonium Rd. to the shopping center as a primary use. That entrance and exit is a dangerous one and should be avoided. The Lessee has assured me that all directions in advertisements, brochures, or internal signage will honor that request.

Of additional concern, I have informed the Lessee and his lawyer, that part of the parking spaces and service lane proposed is currently being used by an off-premises business, not under lease or shared contract (to the best of my knowledge). Provision must be made not to have that use extended to other areas of the shopping center.

I have reviewed the Petition for the two parking variances and find there is no additional parking spaces planned. In fact, approximately 15 spaces will be assigned for the stacking drive up lane. Since this new business in an existing building does not add to the previous parking variance due to change in the regulations in 1988 and change in the mix and parking intensity over time, I see not reason to oppose the request for both variances. This should establish the minimum number of spaces for the future considerations of change in the uses.

Respectfully submitted:


Louis W. Miller, Zoning & Development Coordinator

cc: Wayne Skinner, Councilman 4th District, Joe Impallaris, Contract Lessee, Pat Keller, Director Balto. Co. Planning Dept, Vicky Burns, Timonium Shopping Center, Stewart Kaplow, Esq.

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL STUKAPLOW@AOL.COM

STUART D. KAPLOW

DATE: July 14, 1999TO: 30915SENT TO TELEPHONE NUMBER: 410-887-5708

FROM: STUART D. KAPLOW, ESQUIRE

TOTAL NUMBER OF PAGES 2 (INCLUDING THIS PAGE)

OUR TELECOPIER TELEPHONE NUMBER IS (410) 339-3912

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING, PLEASE
CALL _____ AT (410) 339-3910

MESSAGE:

COPY OF LETTER ON Typing Shopping Center
(NOTE: THE ORIGINAL

HARD COPY TO FOLLOW: YES _____ NO ☒CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW

15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL STUKAPLOW@AOL.COM

7/14/99
of
work
OK
not needed per 7/15
SDK

STUART D. KAPLOW

July 9, 1999

Hand Deliver

Arnold Jablon, Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Petitions for Variance and Special Exception**
Case # 99-519-XA
Lessee: Joseph J. Impallaria
Legal owner: Timonium Shopping Center Associates, LLC

Dear Mr. Jablon:

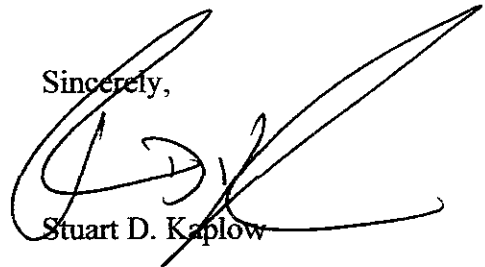
This firm represents Timonium Shopping Center Associates, LLC, the legal owner of the property that is the subject of the abovenoted petitions.

With the consent of Joseph J. Impallaria, the lessee and your petitioner, by this letter I am requesting that the abovenoted petition for variance, only, be withdrawn. That is, please allow the petition for special exception to proceed to hearing, and withdraw the petition for variance only.

Also, please have the file marked so that I am sent a copy of the notice of hearing.

Thanking you in advance for your courtesies, should there be any questions, of course, do not hesitate to give me a call.

Sincerely,



Stuart D. Kaplow

SDK:tbm

cc: Mr. Joseph J. Impallaria
Mr. Wilbur "Tom" Simmons

99-519-X

2 July 1998

Department of Permits and
Development Management.

ATTN: MR. John Lewis

Balto, County, Maryland

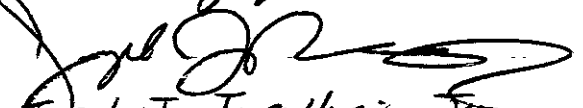
Dear Mr. Lewis:

I am expressing conditional approval to begin interior
renovation to the former Belle Carpet at 2135 D York Rd
to do interior framing, electrical and plumbing for PISA Pizza
Buffet. (A RESTAURANT)

I have previously filed a Petition for Variance, subject
pending, under Case No. 97-519-XA.

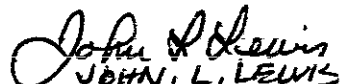
I understand that I will not receive a use and occupancy
permit unless and until the zoning ^{commission} ~~board~~ approves the above
mentioned case.

I also understand that I will be proceeding at my
own risk and if the variance is not granted my may not be
able to use the site for the intended purpose.

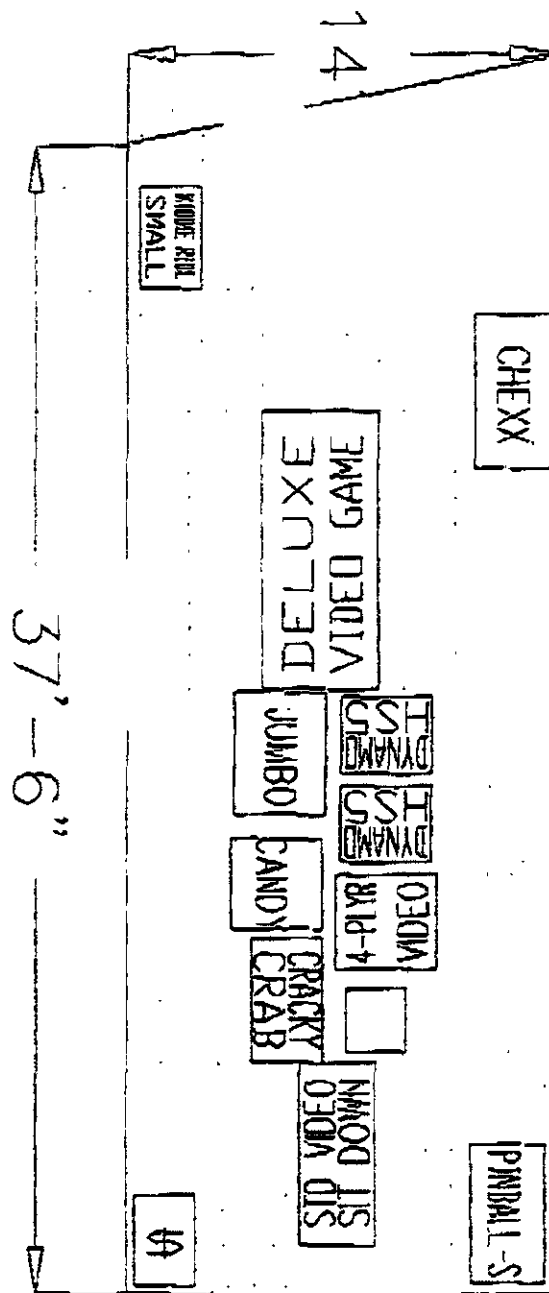

Joseph J. Impallaria, Jr.
President PISA Pizza, L.L.C.

7/2/98 8TH ED.

MR IMPALLARIA: MR VABLOW HAS DIRECTED ME TO GIVE YOU CONDITIONAL
APPROVAL TO PROCEED AT YOUR OWN RISK IN THE PERMIT ISSUE FOR ALTERATION
AND USE AND OCCUPANCY CHANGE FROM RETAIL TO RESTAURANT AT THE ABOVE LOCATION.
SHOULD THE VARIANCE BE DENIED YOU WILL NOT BE ABLE TO OPEN.


JOHN L. LEWIS
PLANNER II P.D.M.

COLUMBIA AMUSEMENTS



#519

TOTAL P.02

99.519-X

PETITIONER(S) SIGN-IN SHEET

ADDRESS

6424 FRANKFORD AVE

5719 Hill Top Rd 21220

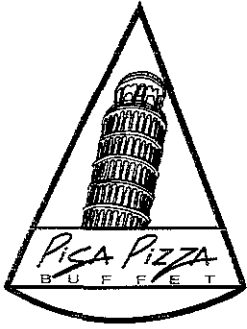
10506 Rt Spruce Rd 21303

KCI TECHNOLOGIES, INC.
10 NORTH PARK DR. 21030

15 E. CHAMPAGNE AVE 21286

2616 Colpepper Rd Abingdon Md 21009





Pisa Pizza, L.L.C.

P.O. Box 5675

Timonium, Maryland 21094-5675

(410) 683-PISA

Fax: (410) 683-7472

PISA PIZZA, L.L.C. COMPANY SUMMARY

Pisa Pizza Buffet is a new concept to the Baltimore Metropolitan area. Pizza buffets have been well accepted in the Southeast and Midwest. Pisa Pizza Buffet is a family oriented Italian style restaurant. It offers a variety of good food inexpensively priced. Pisa Pizza targets business people, families and students.

Pisa Pizza offers over 20 varieties of pizza, Impallaria's famous Italian bread and pizza bread, voted Baltimore's Best by Baltimore Magazine, pasta, calzone, full salad bar, and dessert pizza. Soft drinks are self-service.

In keeping with offering affordable dining to families, Pisa Pizza offers our full buffet for \$3.99 per adult, \$2.99 for children between the ages of 4 and 10, and children 3 and under eat free. The unlimited soft drink bar is \$1.49 for adults, \$.99 for children .

Pisa Pizza also offers carry-out at the lowest prices possible. A one topping large pizza is \$5.99. We deliver on orders of 10 pizzas or more. Pisa Pizza prices are so low they are unchallenged in the market. Since our regular prices are so low we do not need to offer or discount our food with coupons or specials and we are not a coupon business.

Pisa Pizza is a 300 seat buffet restaurant. In keeping with our family atmosphere we have large screen TV's continuously showing news, sports, and family entertainment. We also have a game room with video games.

Pisa Pizza Buffet at lunch is a quick stop for the business person trying to maintain a demanding schedule. At dinner it is a high energy restaurant where you are likely to find families sitting among high school and college sports teams and senior citizens on fixed incomes. The atmosphere is one of energy and excitement. The family with a crying baby need not be embarrassed because children are what we are about. The loud and energetic high school football team need not be worried, their energy adds to the charisma our customers are looking for.

Pet Nov 14

Lunch is quieter, an ideal place for the worker on a short schedule to get a great buffet meal at prices cheaper than the nearby hamburger fast food outlet. In 15 minutes or less the businessman can have a full lunch.

Pisa Pizza is directed at people of all incomes but we are particularly attractive to families with household incomes of between \$30,000 and \$80,000. Every customer is greeted at the door on arrival and bid farewell upon departure. We exist to keep our customers happy and special requests are our pleasure. If we don't have the item our guests want on the buffet line we specially prepare it for them and deliver it to their table.

Our employees are trained to carry the trays of mothers with young children. When they have time they offer to walk or carry a restless child so the parents can continue to enjoy their meal.

It is not uncommon to hear the music of Dean Martin, an opera tenor, or perhaps one of our team break into an Italian song. Pisa Pizza equals fun for our employees and management team as well as our customers.

At Pisa Pizza we offer a pizza buffet and carry-out whose prices are unchallenged. We deliver good food superior service and a family/fun ambience to our customers. Our express lunch buffet offers the quickest and most economical meal available to the working public.

Our keys to success:

1. Price, no one in the market will be able to meet our buffet and carry-out prices.
2. Service, customers dinning at Pisa Pizza will receive a meal that is everything they want and far more than they expect for the price paid. They will leave and tell their friends, family and coworkers of the outstanding service they received and recommend Pisa Pizza to others.
3. Good Food, we will consistently offer good food at unbelievably low cost.
4. Ambiance, The energy and excitement found at Pisa Pizza will make it an experience to remember. Pisa Pizza has an ambience totally of its own that is nowhere duplicated. Everybody leaves Pisa Pizza wanting to tell somebody else about their experience.

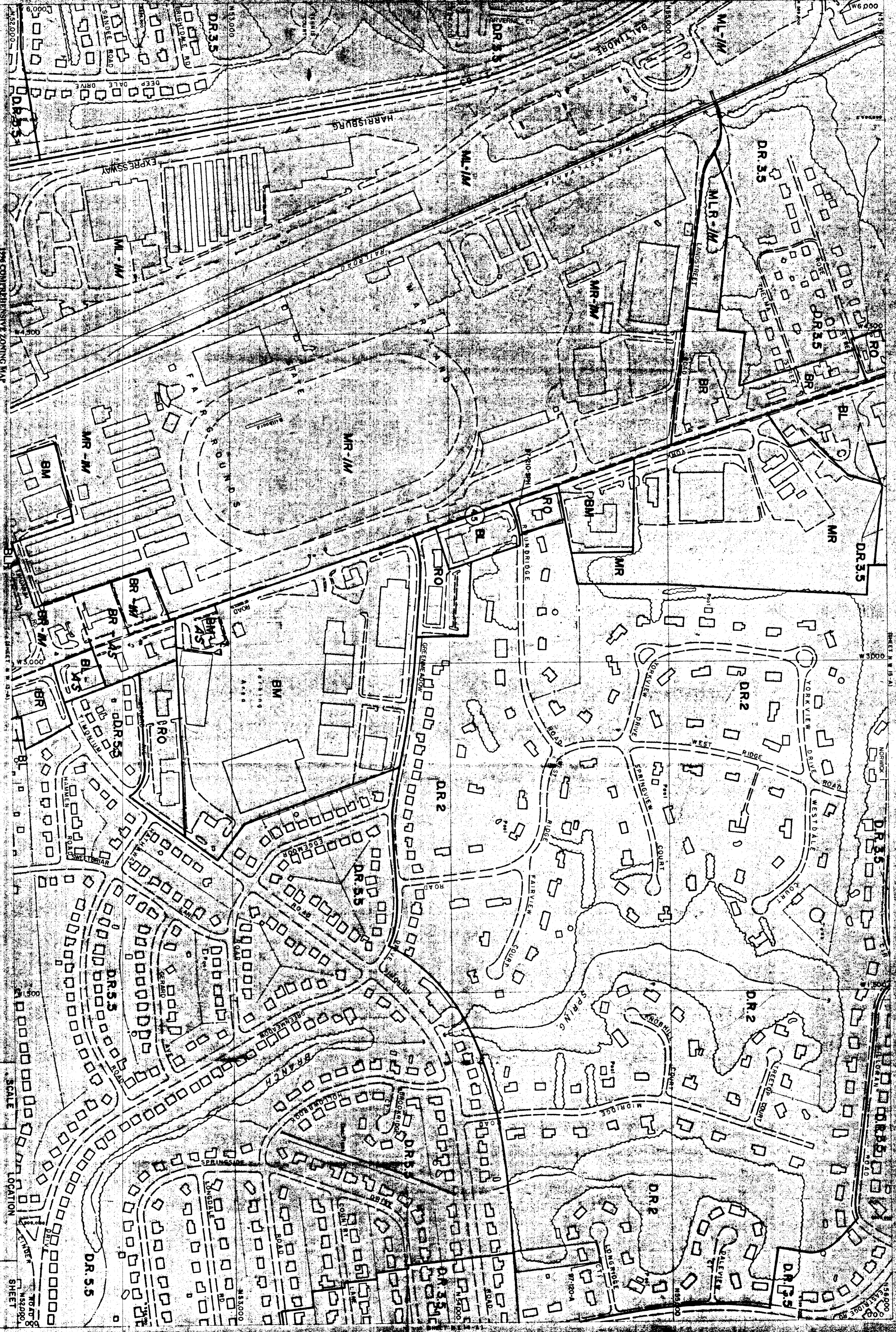
Over the next 3 years we intend to open 4 Pisa Pizza Buffets in the Baltimore Metropolitan Area.

THIS MAP HAS BEEN PREPARED BY THE BALTIMORE COUNTY PLANNING AND ZONING DEPARTMENT USING THE LATEST AVAILABLE AERIAL PHOTOGRAPHY AND SURVEY DATA. THE MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE BALTIMORE COUNTY PLANNING AND ZONING DEPARTMENT.

Kenneth J. Kennedy
Chairman, Planning and Zoning Commission

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

DATE 1956	PHOTOGRAPHY AERIAL	LOCATION SHEET	SCALE 1" = 200'
TIMONUM		SHEET	



99.519.7